

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL GORRIO,
Petitioner

v.

DAUPHIN COUNTY PRISON,
Respondent

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No. 1:22-cv-00703

(Judge Kane)

ORDER

AND NOW, on this 31st day of August 2022, upon consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 (Doc. No. 1), and for the reasons that are set forth in the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Petitioner's motion for leave to proceed in forma pauperis (Doc. No. 6) is **GRANTED**, and the petition (Doc. No. 1) is **DEEMED** filed;
2. Petitioner's other motion for leave to proceed in forma pauperis (Doc. No. 2) is **DENIED** as moot;
3. The petition (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction. This dismissal is without prejudice to Petitioner's right to pursue a civil rights action;
4. A certificate of appealability **SHALL NOT ISSUE**; and
5. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania